



CITY OF ATLANTA

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MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **February 12, 2014**

Agenda Item: Review and Comment (RC-14-006) for demolition of a single family house at **1474 Metropolitan Parkway**- Property is zoned R-4/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The existing single family dwelling is located in the Capitol View Manor Neighborhood. According to the Fulton County tax records available online, this house was built in 1903.

In 2011, the Commission submitted a letter of support regarding a review and comment application (RC-11-201) on the National Register of Historic Places nomination for Capitol View Manor Historic District. The proposed historic district is a 100 acres residential neighborhood that began development in the mid 1920's. The majority of the houses were built before 1945. The proposed district is characterized by mostly residential structures in the Craftsman, English Vernacular Revival and Colonial Revival styles. There are also American Small Houses and Ranch Houses built between the 1940's and mid to late 1950's.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structure or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

The Applicant is proposing to demolish the existing single family dwelling to create additional green space for Emma Millican Park. In looking at pictures of the existing house, it is clearly historic and typical of the architecture in this neighborhood. It also appears that the house has been significantly damaged by a fire. Many of the windows are damaged and part of the roof is damaged. The existing house clearly requires repairs and renovations.

While Staff finds that green space is important, Staff finds that the demolition of this house would be a permanent loss to the Capitol View Manor neighborhood. While the house in question is located just outside the proposed National Register Historic District, it is eligible. Staff further finds that the architectural style of the existing house is consistent with the contributing houses in the proposed National Register Historic District. Staff strongly suggests that alternatives to the demolition of the house be considered, such as repairing, renovating and retaining the existing historic house as an amenity for the park. Another alternative is moving the house to a vacant lot within the neighborhood.

Given the information we have at this time, Staff cannot support the proposed demolition. If the house is demolished, Staff suggests that the house and its context are appropriately documented with archival quality photographs.

Staff Recommendation: Staff recommends that the Commission deliver its comments regarding Review and Comment (RC-14-006) for demolition of a single family house at **1474 Metropolitan Parkway**.



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STAFF REPORT February 12, 2014

Agenda Item: Review and Comment (RC-14-007) for demolition of a single family house at **1357 Montreat Avenue**- Property is zoned R-4/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The existing single family dwelling is located in the Oakland City Neighborhood. Staff would note that the property in question is not located within the boundaries of the Oakland City Historic District or the Oakland City National Register District. Staff could not find a record for the date of construction.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structure or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

The Applicant is proposing to demolish the existing single family dwelling to create additional green space for an existing park near an outdoor activity center. In looking at pictures of the existing house, Staff finds the property is historic. Staff finds the existing house is in good condition and could be retained and used for another purpose. In looking at an online map, the existing house appears to be on the very edge of the outdoor activity center area and adjacent to other single family properties.

It is not clear how this property fits within the context of the outdoor activity center area. Staff suggests the Applicant provide pictures and information for the entire site. Staff suggests the Applicant clarify whether the existing house can be retained and re-used for another purpose. Staff would note that the demolition of this house would permanently remove historic fabric from the Oakland City Neighborhood. Staff strongly suggests that alternatives to the demolition of the house be considered, such as retaining and re-using the existing house. Another alternative is moving the house to a vacant lot within the Oakland City Neighborhood.

Given the information we have at this time, Staff cannot support the proposed demolition. If the house is demolished, Staff suggests that the house and its context are appropriately documented with archival quality photographs.

Staff Recommendation: Staff recommends that the Commission deliver its comments regarding Review and Comment (RC-14-007) for demolition of a single family house at **1357 Montreat Avenue**.

RC-14-07 1357 Montreat Avenue (demolition)



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STAFF REPORT February 12, 2014

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-14-013) for altered signage at **625 Piedmont Avenue (Ivy Hall)**- Property is zoned C-2/LBS (Landmark Building/Site)

Applicant: Karen Wilson
312 Wesley Mill Lane, Villa Rica

Facts: The Peter's House and the surrounding property was designated in 1989. The proposed sign alterations are located on a non-contributing building that was constructed several years ago.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
- (1) *Landmark buildings and sites:*
- (a) To change the exterior appearance of any Landmark Building or Site;

Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, for purposes and objectives contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic regulations as are required in article D of chapter 4 or part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- 7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Sec. 16-28A.007. General regulations.

The following general regulations shall apply to all signs located in the city:

(v) *Additional Standards for Signs in Landmark and Historic Areas:* In determining the appropriateness or location of new signs proposed to be placed within the boundaries of any landmark building and site, historic building and site or any property within a landmark district or historic district, the urban design commission shall apply the following criteria in addition to the applicable criteria for certificates of appropriateness specified in chapter 20 of this part 16:

- (1) The size, scale and design of the sign shall be compatible with the size, scale and design of the property, building or site upon which it is to be located.
- (2) The sign's materials shall be compatible with the period and style of the property, building or site.
- (3) The sign's location shall not obscure any significant architectural features of the building or site.
- (4) The sign's installation shall not irreparably damage any cornice, ornament or similar architectural detail and shall be the least damaging method feasible for the property, building or site.
- (5) The content of the message to be conveyed shall not be considered.
- (6) Whenever in these regulations a certificate of appropriateness is required for a sign, the certificate shall be granted or denied within 30 days from the filing of the initial application. If the certificate is not granted or denied within that time period, the applicant may proceed as if the certificate had been granted. Provided, however, if the commission subsequently takes action on the certificate, the director is authorized to take the appropriate action necessary to cause the sign to come into compliance with that decision.
- (7) Any appeal from any decision made on the issuance or denial of a certificate shall be granted or denied within 60 days of the initial filing of the appeal. If the appeal is not granted or denied within this time period, the applicant may proceed as if the appeal was decided in his favor. Provided, however, if action is subsequently taken on the appeal, the director is authorized to take the appropriate action necessary to cause the sign to come into compliance with that decision.

Sec. 16-28A.010. District regulations.

(6) *C-2 (Commercial Service) District.* The following signs shall be permitted in the C-2 (Commercial service) district:

- a. *Number and Area of Building Business Identification Signs:* Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. A maximum of three (3) building business identification signs shall be permitted for each business establishment. The combined area of these permitted building business identification signs shall not exceed 10 percent of the total area of the front wall of each said business establishment, and in no case shall any individual sign exceed 200 square feet. Notwithstanding these provisions, every business establishment shall be entitled to at least 60 square feet total combined sign area.
- b. *Building Signs on Corner Lots:* For corner lots, one (1) additional building business identification sign for the business establishment occupying the corner space shall be permitted, provided it is oriented toward the additional street frontage. The total area of said sign shall not exceed 10 percent of the area of the wall of said building occupied by such business establishment and oriented toward the additional street frontage, or 60 square feet, whichever is less.
- c. *Freestanding Signs:* In addition to the building business identification signs permitted in subsections a. and b. above, one (1) freestanding business identification sign shall be permitted for each lot. On interior lots, said freestanding sign shall not exceed 60 square feet in sign area when located in the required front yard setback. If located within the buildable area of the lot, said interior freestanding sign may be enlarged from said 60 square foot maximum at a rate of one (1) additional square foot of sign area per additional linear foot of setback from the required front yard setback line, measured perpendicularly, up to a maximum of 100 square feet in total sign area. On corner lots, said freestanding sign shall not exceed 90 square feet in sign area when located in the required front yard setback. If located within the buildable area of the lot, said corner freestanding sign may be enlarged from said 90 square foot maximum at a rate of one (1) additional square foot of sign area per additional linear foot of setback from the required front yard setback line, measured perpendicularly, up to a maximum of 130 square feet in total sign area.
- d. *Shopping Center Signs:* In lieu of the freestanding business identification sign permitted in subsection c. above, shopping centers shall be permitted one (1) single freestanding business identification sign. Said sign may be located within the required front yard setback. Said sign shall not exceed 200 square feet in sign area. Where a shopping center has

frontage on two (2) or more streets, one (1) additional sign shall be permitted for each additional street frontage provided that such additional street does not face a residential district.

e. *Height of Signs*: No freestanding business identification sign shall exceed 35 feet in height above the level of the surface of the pavement of the nearest lane of the main traveled way or 35 feet from the ground at the base of the structure to the tallest part of the structure whichever is greater.

f. *Animated, Flashing or Changing Signs Prohibited*: No animated, flashing or changing signs shall be permitted.

g. *Signs Extending Over Right-of-Way Prohibited*: No sign shall extend or project over any property line onto sidewalk or street right-of-way.

h. *General Advertising Signs Prohibited*: General advertising signs shall not be permitted.

While the existing site is designated as a landmark, this particular building is non-contributing. The Applicant is proposing to paint the existing sign cabinet, add a new sign panel and install internal illumination. Staff has no general concerns regarding painting and a new sign panel for an existing sign. Further, per underlying zoning, internal illumination is allowed. As the sign alterations are located at the corner of the property, Staff finds the existing landmark building will not be negatively impacted. Staff finds the sign alterations are appropriate. Staff has no concerns regarding the proposed sign alterations.

Staff Recommendation: Based upon the following:

- (1) The proposed project meets the regulations with the exception of the comments above, per Section 16-20.009(7);

Staff recommends approval of an application for a Type Certificate of Appropriateness ((CA2-14-013) for altered signage at **625 Piedmont Avenue (Ivy Hall)**- Property is zoned C-2/LBS (Landmark Building/Site).



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STAFF REPORT February 12, 2014

Agenda Item: Review and Comment (RC-14-014) for site work at **141 Grape Street** - Property is zoned R-5/Martin Luther King Jr. Landmark District (Subarea 6)/Beltline.

Applicant: Lacey Williamson
141 Grape Street

Facts: According to the neighborhood inventory, this multi-family building was built in 1961 and is considered contributing. This property is located in Subarea 6, therefore a review and comment is required

On January 8, 2014, the Commission reviewed and commented on an application to replace the existing windows.

Analysis: The following code sections apply to this application:
Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark Districts:

b. To erect any new structure or to make an addition to any structure within a Landmark District.

Per Section 16-20C.003:

The following regulations shall apply to the entire Landmark District inclusive of all subareas. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

(1) Regulations shall be minimum standards which must be followed and shall be applied by the AUDC.

(2) The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural style, and shall further ensure the compatibility of future developments within this HC district.

(3) The power to hear, grant or deny variances and special exceptions from these regulations shall rest with the AUDC.

(4) Procedure for variance: Upon a determination by the AUDC that an application for renovation or new construction is in conflict with these regulations and/or the guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall include any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.

(5) The compatibility rule: In general the intent of the regulations and guidelines structures and new construction are compatible with the design, scale and general character of the entire district, of each subarea, and of the immediately adjacent environment of a particular block. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question (roof form, architectural trim, building setback, etc.) shall match that which predominates on that block; or where quantifiable (i.e. building height, setback etc.), the average of all structures of like use in that block shall be adhered to. The rule shall apply as it is noted in these regulations and guidelines by reference to the "compatibility rule."

16-20C.009. Transitional Zone Subarea 6.

- (1) In accordance with section 16-20.004(b) of this part, the requirements of sector HC20C Martin Luther King, Jr. Landmark District for those properties identified on the attached map as being within the Transitional Zone (Subarea 6) shall serve to modify the requirements, regulations and procedures applying in the existing zoning districts or districts hereinafter created.

Properties identified as being within the Transitional Zone (Subarea 6) shall remain zoned in whichever district they are designated at the time of adoption of this chapter by action of the city council.

The existing district regulations as they now exist, or as they may be subsequently changed, are hereby modified so as to provide the following additional regulation for properties in this subarea.

- a. Any application for building permits, zoning amendments, special use permits, special exceptions and variances within Transitional Zone (Subarea 6) of sector HC20C, Martin Luther King, Jr. Landmark District, shall be submitted to the AUDC for review and report prior to any final action on such application.
- b. General advertising signs shall not be permitted in the Transitional Zone (Subarea 6).
- (2) These regulations are intended to control the potential for adverse impact resulting from redevelopment in the periphery of the Landmark District. To this end the AUDC shall undertake a design review of all new construction and such other actions as are outlined in paragraph (1) above.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial

evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.
- (8) Considerations on proposed moving of structures, in whole or in part, shall include the effect on the neighborhood from which the move is made. In general, where the structure forms a significant part of a complex of similarly meritorious buildings, preference shall be given to relocation on a site elsewhere in the district. Where the structure does not form part of such a complex, preference shall be given to removal to a location in which the addition will reinforce existing complexes of buildings of significant historic, architectural and/or cultural character.

Gate and Site Work

In looking at pictures submitted by the Applicant, two 6' tall solid corrugated metal gates were installed on the right and left sides of the site. Given the location and height of the gates, Staff finds it likely a variance will be required. As this is an underlying zoning issue, the variance would need to be heard by the Board of Zoning Adjustment. Staff suggests the Applicant either revise the gates to meet the underlying zoning requirements or apply for a variance to be heard by the Board of Zoning Adjustment.

Staff has concerns regarding the design of the proposed gates. Staff finds the gates really looks like walls. Staff finds it is very unusual to have large solid metal gates for an apartment building in the Martin Luther King Jr., Landmark District. Staff finds the proposed gates are not at all consistent, compatible or appropriate for this property or this neighborhood. Staff has no general concerns with having gates on the property. Staff finds a better solution is to have a fence and gate combination with a similar design to the existing metal fence on the property. Staff further suggests the proposed fence and gate combination meet the height requirements.

The Applicant is proposing to repair and repave the existing driveway in-kind. Staff has no concerns regarding the repair and repaving of the existing driveway.

Alterations

The Applicant is proposing to remove the existing air conditioning units located in the wall. In looking at pictures submitted by the Applicant, there is air conditioning units located below some of the existing windows. Staff has no concerns with removing the existing air conditioning units. Staff suggests that the infill be brick to match the existing brick. Staff would advise strongly against using any other material other than brick to match the existing.

Staff recommends the Commission deliver its comments at the meeting.



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Director, Office of Planning

STAFF REPORT

February 12, 2014

Agenda Item: Application for Type III Certificates of Appropriateness (CA4-14-017) for a variance to reduce the rear yard setback from 34 feet 4.5 inches (required) to 26 feet 11 inches (proposed) for an addition at **1047 Washita Avenue** – Property is zoned R-5/Inman Park Historic District (Subarea 1).

Applicant: Rick Bizot
1077 Alta Avenue

Facts: According to the District inventory sheet, the house was built in 1920 and is considered contributing to the District. The one-story, front gable bungalow sits on a generally rectangular lot that is set at an angle to the street such that the front yard is asymmetrical. The house itself is askew on the lot such that the right side yard decreases from front to back and the left side yard increases from front to back. The majority of the lot sits essentially at sidewalk and street level. The rear portion of the roof is a hipped form with a shed roof extension from a previous, 1940s-19502-era addition.

At its January, 2014 public hearing, the Commission approved the renovation and addition of the house with the following conditions via CA3-13-325:

1. The Applicant shall clarify the final proposal for the carport;
2. The site components shall be re-designed to maintain the current lot coverage, per the R-5 zoning regulations;
3. The Applicant document shall compliance with the rear yard setback requirements or revise the design of the rear addition to meet the rear yard setback requirement, per Section 16-20L.006(2)(b); and
4. The Staff shall review, and if appropriate approve, the final elevations, plans, and documentation.

The Applicant has chosen to leave the rear addition design unchanged and apply for a variance to reduce the rear yard setback to accommodate the addition itself, as well as the rear stairs, which are taken into account when calculating a setback distance.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Inman Park Historic District.

1. General criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - d. Compatibility rule:
 - i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.

2. Certificates of appropriateness.
 - a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - iii. Variances and special exceptions.
3. Variances, Special Exceptions, and Appeals.
 Variance applications, applications for Special Exceptions, and appeals from these Regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in Chapter 26 of this Part 16. The Commission shall have the authority to grant or deny applications for Special Exceptions pursuant to the standards in Chapter 25. The Commission shall have the authority to grant or deny applications for appeal pursuant to the standards in Section 16-30.010 and the appeal provisions for said decision, set forth in Section 16-30.010(e), shall also apply to the Commission's decision.

Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-20L.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:

2. Setback requirements:
 - b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - v. Floor area ratio shall not exceed 0.50.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

The Staff generally concurs with the Applicant's variance analysis regarding extraordinary and exceptional conditions that are particular to this property. The property is considerably shorter than the other lots on the block face, which are the point of comparison for the compatibility rule. In addition, the rear property line is at a reverse angle to the front property line. This condition is compounded by the rather unusual placement of the house on the lot, such that side yards have a triangular shape. This combination of conditions creates a non-rectilinear relationship between the facades of the house and the property lines (the front is angled to the front property line, the sides are angled to the side property lines, and the rear is angled to the rear property line). The Staff would note, however, that the least angled of the relationships is in the rear of the property.

The Staff would concur with the Applicant's variance analysis regarding the detriment to the public good and the potential to impair the purposes of the zoning regulations. The amount of the reduction, its location on the rear of the house, and what it is for (a corner of the addition and the rear exit stairs) will have little if any effect on the historic or architectural character of the District, and as the Applicant noted will be essentially undetectable from the public street. It is also reasonable to assume that on a given block face, a shorter lot with a house that is essentially the same size as the other houses on the block face would be closer to the rear yard.

Regarding the question of unnecessary hardship, the Staff is concerned that while adhering to the current rear yard setback could potentially reduce the design options for a rear addition, there could still be other design options that would not require a rear yard setback reduction. A comparison to other potential options was not included in the original application (CA3-13-325) or in the current variance application. While it could be that other options that don't need a setback reduction have their own financial, logistical, programmatic, or construction problems, without knowing what some of those problems are in relation to the proposed design, the Staff isn't able to concur with the Applicant's analysis that a "unreasonable hardship" exists with current rear yard setback.

The Staff acknowledges that the floor area ratio permits more square footage on the lot, but the lot coverage was at its maximum, according to the site plan submitted with the original application.

The Staff would recommend the Applicant provide to the Staff an analysis of other design options for the rear addition to support their conclusion that complying with the standard rear yard setback through other design options would create an "unnecessary hardship" on the property owner.

Staff Recommendation: Based upon the following:

- 1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, per Section 16-26.003;
- 2) The Applicant has not clearly shown that the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship, per Section 16-26.003;
- 3) There are conditions that are peculiar to the particular piece of property involved, per Section 16-26.003; and
- 4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta, per Section 16-26.003.

Staff recommends approval of the Application for Type III Certificates of Appropriateness (CA4-14-017) for a variance to reduce the rear yard setback from 34 feet 4.5 inches (required) to 26 feet 11 inches (proposed) for an addition at **1047 Washita Avenue** – Property is zoned R-5/Inman Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall provide to the Staff an analysis of other design options for the rear addition to support their conclusion that complying with the standard rear yard setback through other design options would create an "unnecessary hardship" on the property owner, per Section 16-26.003(1)(b).



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 12, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA2-14-018) for new construction and alterations at **541 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 5)/Beltline.

Applicant: Ashley McClure
154 Krog Street

Facts: According to the neighborhood inventory, this commercial building was built in 1906 and is considered contributing.

On July 11, 2012, an application for a Type II Certificate of Appropriateness (CA2-12-146) for alterations and signage was approved with conditions.

On May 22, 2013, an application for a Type II Certificate of Appropriateness (CA2-13-111) for signage and renovations was approved with conditions. This current application is fore revisions and additions to the previously approved application.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark Districts:

a. To change the exterior appearance of any Landmark Building or Site;

Per Section 16-20C.003:

The following regulations shall apply to the entire Landmark District inclusive of all subareas. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

(1) Regulations shall be minimum standards which must be followed and shall be applied by the AUDC.

(2) The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural style, and shall further ensure the compatibility of future developments within this HC district.

(3) The power to hear, grant or deny variances and special exceptions from these regulations shall rest with the AUDC.

(4) Procedure for variance: Upon a determination by the AUDC that an application for renovation or new construction is in conflict with these regulations and/or the guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall including any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.

(5) The compatibility rule: In general the intent of the regulations and guidelines structures and new construction are compatible with the design, scale and general character of the entire district, of each subarea, and of the immediately adjacent environment of a particular block. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question (roof form, architectural trim, building setback, etc.) shall match that which predominates on that block; or where quantifiable (i.e. building height, setback etc.), the average of all structures of like use in that block shall be adhered to. The rule shall apply as it is noted in these regulations and guidelines by reference to the "compatibility rule."

(15) *Building facades, roofs, and other elements visible from the street right-of-way:*

- a. Alteration and addition to building facades, roofs, porches, foundations and other exterior elements shall conform to these regulations and to the guidelines adopted and applied by the AUDC.

Per Section 16-20.009. Further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Revisions to the West Elevation

The original submittal included new windows in three of the small bricked in openings. The revised elevation indicates the small window openings are still bricked in. The notations indicate new windows in the openings. It is not clear whether the graphic or the notation is correct. Staff

recommends the Applicant clarify the window proposal for the west elevation. The original submittal indicated the retention of the existing exterior stair. The revised elevation indicates a new stair. While Staff does not have a general concern regarding the removal of the existing stair, Staff recommends the Applicant provide design and material details for the proposed stair.

The Applicant is proposing a new dumpster enclosure. According to the Applicant the proposed dumpster enclosure does not face a public right-of-way. While the proposed dumpster enclosure is set back from the right-of-way, it appears it will face Edgewood Avenue. As the proposed dumpster is enclosed with a 7' wood painted wall and is partially located under the proposed stairs, Staff does not have a concern regarding the location of the proposed dumpster enclosure.

Revisions to the Rear Elevation

The Applicant is proposing to add an awning at the rear of the building. In looking at the elevations, it appears the awning will cover the entire outdoor seating area and will be supported by posts. As such, Staff finds the proposal is a structure and therefore must meet the setback requirements. Per regulations, the side and rear yard setbacks are based on the compatibility rule. The Applicant did not provide any information regarding the setbacks. Staff recommends the Applicant provide documentation the proposed awning structure meets the setback requirements. While Staff has no general concerns regarding the proposed awning structure, Staff recommends the Applicant provide details regarding the design, including the support posts. The Applicant is proposing to install "insect screening" on the rear façade. Staff has no concerns regarding the installation of "insect screening".

Signage

The revised plans indicate a blade sign on the front elevation and a second painted sign on the west elevation. Staff would note that one sign is allowed per street frontage for corner lots. Staff finds the sign that does not face a street would not be allowed. As the Applicant has not provided any information regarding the proposed signage, Staff recommends the sign request be submitted as a separate application.

Accessory Structure

The Applicant is proposing a rear accessory structure to accommodate a prep kitchen. The proposed accessory structure features wood siding, a metal roof and a small glass storefront. Staff has no overall concerns regarding the massing, height, materials or design. Per regulations, the setbacks are based on the compatibility rule. The Applicant has not provided any information regarding the setbacks. Staff recommends the Applicant provide documentation the proposed accessory structure meets the setback requirements. Per regulations, the bulk limitation requirements do not allow the floor area to exceed two times the net lot area. Staff recommends the Applicant provide documentation the bulk limitation requirements have been met. In looking at pictures of the surrounding buildings, Staff finds the property is not adjacent to any residential uses. As such, Staff finds the requirements for transitional height and yard requirements do not apply in this case.

Beltline SAP Review

In addition to being in the Martin Luther King, Jr. Landmark District, the existing building is also in the Beltline Overlay. As such, the Applicant will likely need a special administrative permit (SAP) for the proposed revisions and additions. It is possible the Beltline SAP review may necessitate changes to the project to meet the Beltline requirements. Staff recommends any changes necessitated by the Beltline SAP review be approved by Staff.

Staff Recommendations: Based upon the following:

1) The plans meet the regulations, per Section 16-20C.003 and 16-20.009, with the exceptions of the comments noted above;

Staff recommends approval of the Application for a Type II Certificate of (CA2-14-018) for new construction and alterations at **541 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 5)/Beltline, with the following conditions:

1. The Applicant shall clarify the window proposal for the west elevation, per Section 16-20.009(1) and (5);
2. The Applicant shall provide design and material details for the proposed stair, per Section 16-20.009(1) and (5);
3. The Applicant shall provide documentation the proposed awning structure meets the setback requirements, per Section 16-20C.008(5)(c);
4. The Applicant shall provide details regarding the design, including the support posts, per Section 16-20.009(1) and (5);
5. The sign request shall be submitted as a separate application;
6. The Applicant shall provide documentation the proposed accessory structure meets the setback requirements, per Section 16-20C.008(5)(c);
7. The Applicant shall provide documentation the bulk limitation requirements have been met, per Section 16-20C.008(5)(a);
8. Any changes necessitated by the Beltline SAP review shall be approved by Staff and
9. Staff shall review and if appropriate, approve the final plans



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COMMISSIONER

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STAFF REPORT
February 12, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-019) to allow additions and alterations at 145 Auburn Avenue – Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

Applicant: Lee Ann Gamble
935 Myrtle Street

Facts: The *Atlanta Daily World* Building is a contributing building to the District. The two-story masonry building was built in 1912, according to the District inventory sheet. While there have been a variety of tenants in the building, the most notable (the newspaper *Atlanta Daily World*) moved into the building in 1950 and occupied both floors by 1972. The newspaper occupied the building until 2008 when a tornado severely damaged the building. The building has been un-occupied since that time.

The current proposal before the Commission includes the following action items:

1. Clean, repair, and repoint all existing exterior brick facades.
2. Restore the upper story wood windows on the Auburn Avenue facade.
3. Replace the windows and doors on the rear facade.
4. Replace the exterior metal stair and balcony on the rear facade.
5. Modify the storefronts to replicate the original building design with two storefronts.
6. Restore the central door that leads to the second floor.
7. Resurface the existing parking lot and add landscaping.

The Staff would note that there is also considerable interior renovation work taking place, but that is not subject to review by the Commission. It is also the Staff's understanding that the project might be pursuing historic preservation tax incentives.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless

provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark Districts:

- a. To change the exterior appearance of any Landmark Building or Site;
- c. To erect any new structure or to make an addition to any structure within a Landmark District.

Per Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20C.003:

The following regulations shall apply to the entire Landmark District inclusive of all subareas. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

- (1) Regulations shall be minimum standards which must be followed and shall be applied by the AUDC.
- (5) The compatibility rule: In general the intent of the regulations and guidelines structures and new construction are compatible with the design, scale and general character of the entire district, of each subarea, and of the immediately adjacent environment of a particular block. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is:
The element in question (roof form, architectural trim, building setback, etc.) shall match that which predominates on that block; or where quantifiable (i.e. building height, setback, etc.), the average of all structures of like use in that block shall be adhered to. The rule shall apply as it is noted in these regulations and guidelines by reference to the "compatibility rule."
- (8) Secretary's guidelines: In addition to specific standards listed herein, the Secretary of the Interior's Standards for Historic Preservation Projects Part 1 shall be a part of these regulations and shall be applied by the AUDC.
- (15) Building facades, roofs, and other elements visible from the street right-of-way:
 - a. Alteration and addition to building facades, roofs, porches, foundations and other exterior elements shall conform to these regulations and to the guidelines adopted and applied by the AUDC.
- (16) Streetscape: Alteration to the streetscape, such as façade changes or the addition of planters, trash containers, street lighting and similar elements, shall require a certificate of appropriateness by the AUDC.

Sec. 16-20C.007. Auburn Commercial District Subarea 4.

In addition to the general regulations required in section 16-20C.003, the following regulations shall apply to any new development, rehabilitation or the conversion of any existing structures to permitted uses with the Auburn Commercial District subarea.

These regulations are intended to preserve those commercial structures along Auburn Avenue that are architecturally compatible with the historic character of Martin Luther King, Jr. Landmark District, and to ensure that future development shall proceed in a manner compatible with the character of the subarea as a modest-scale commercial district, and also compatible with the character of the Martin Luther King, Jr. Landmark District as a whole.

(1) Permitted principal uses:

- a. Banks, savings and loan associations, and similar financial institutions.
- b. Business or commercial schools.
- c. Clubs and lodges.
- d. Commercial recreational establishments, including theaters, convention halls, places of assembly and similar uses, with primary activities conducted within fully enclosed buildings.
- e. Eating and drinking establishments.
- f. Multifamily, two-family and single-family dwellings.
- g. Museums, galleries, auditoriums, libraries and other cultural facilities.
- h. Offices, clinics, laboratories, studios and similar uses, but not blood donor stations.
- i. Printing and blueprinting shops.
- j. Professional or personal service establishments but not hiring halls.
- k. Offices, clinics, including veterinary if animals are kept in sound-proofed buildings, laboratories, and studios.
- l. Retail establishments, including catering establishments, delicatessens and bakeries without wholesale operations.
- m. Tailoring, custom dressmaking, millinery and similar establishments limited to not more than 5000 square feet in area.
- n. Supportive housing.

(4) Transitional requirements:

- a. Transitional height planes: Where this subarea adjoins a residential use without an intervening street, height within the district shall be limited as follows: No portion of any structure shall protrude through a height-limiting plane beginning 35 feet above the buildable area boundary nearest to the common district boundary and extending inward over this district at an angle of 45 degrees.
- b. Transitional yards:
 1. Side yard: Adjacent to a residential use without an intervening street, 20 feet is required which shall not be used for the purpose of parking, paving, loading, servicing or storage activity and shall be planted and maintained as a landscape buffer.
 2. Rear yard: There shall be a rear yard of 20 feet when adjacent to a residential use that shall not be used for parking, paving, loading or servicing and shall be planted and maintained as a landscaped buffer.
 3. Screening: Where a lot in this district abuts a residential lot on the rear lot line without an intervening street, opaque fencing or screening not less than six feet in height shall be provided and maintained in sightly condition (see section 16-26.008).

(5) Development controls:

- a. Bulk limitations:

For Property Located East of Interstate 75/85: For nonresidential use (new construction), floor area shall not exceed an amount equal to 2.0 times net lot area. Residential use ratios are established for sector 3 as shown on Table I, section 16-08.007. For Property Located West of Interstate 75/85: (i) For nonresidential uses, floor area shall not exceed an amount equal to 2.5 times net lot area. (ii) For residential uses, floor area shall not exceed an amount equal to 2.5 times gross lot area as indicated on Table I, "Land Use Intensity Ratios" (see section 16-08.007). (iii) For mixed use, floor area shall not exceed an amount equal to 3.5 times gross lot area, but in no event greater than the maximum ratios permitted for nonresidential (i) and residential (ii) above.
- b. Minimum yard requirements: All front, rear and side yards for this subarea shall be established on a block-by-block basis through the compatibility rule. A variance of five percent shall be permitted for new construction unless the AUDC shall determine strict compatibility for storefront is necessary.
- c. Pedestrian circulation requirement: In that part of subarea 4 which lies within the limitation of the pedestrian space plan, the developer shall comply with the pedestrian space plan in cases of new development where it does not unduly affect the historical character of the subarea.

- (6) Off-street parking: Off-street parking in this subarea shall not be required. Design of parking facilities as part of renovation of new construction shall require a certificate of appropriateness by the AUDC (see section 16-11.010).

Clean, repair, and repoint all existing exterior brick facades.

Given the description of the proposed cleaning, repair, and repointing, the Staff has no concerns about this aspect of the project.

Restore the upper story wood windows on the Auburn Avenue facade.

The Staff does not have concerns about the restoration of the upper story windows on the Auburn Avenue facade. The Staff would recommend, however, that the new 9 over 1 window sash on the Auburn Avenue facade to be true divided light construction.

Replace the windows and doors on the rear facade.

There are a variety of windows and doors on the rear facade. The lower level infill windows appear to date from the 1940s or 1950s (i.e. steel sashes). The upper level windows appear to be 1970s or 1980s, aluminum, grill-between-the glass, windows. The exit doors appear to be standard, contemporary slab doors.

The Staff has no concerns about the replacement of the existing doors and use of contemporary, metal hollow core replacement doors. The replacement doors would be differentiated from the historic exterior doors on the building and do not try to speculate on the design of possible rear exits doors that might have previously existed.

Regarding the new upper level windows, the Staff does not have concerns about their replacement, but does not find that installing the same window as is found on the front facade is appropriate for two reasons. First, given that there is no archival or photographic documentation confirming that this type of window did previously exist on the rear facade, installing such a specific replacement would imply that they did exist. Second, the Staff finds that the windows on the rear facade of a commercial building in the District were less ornate than those on the front. This would be in keeping with the overall hierarchy of ornamentation found on commercial buildings, including the quality and finish of the masonry, the amount and style of window and door trim, and the existence of architectural ornamentation. The Staff would recommend that absent archival or photographic documentation to the contrary, the new windows on the upper level of the rear facade should be wood, 1 over 1, double hung windows that fit the original masonry openings.

The Staff would also recommend that all masonry repair work required to remedy the moving of the upper level exit door be done in-kind, using brick salvaged from the rear facade of the building if possible.

Regarding the lower level windows, the Staff finds that while they are replacement windows, their design and the related infill of the original masonry openings do represent the evolution of the building over time. As such, the Staff is concerned that as the window openings won't be restored to their original size and configuration, the replacement of the potentially historic windows will unnecessarily remove historic fabric from the building. The Staff would recommend that the lower level windows on the rear facade be restored if possible, and if they can't be restored that they are replaced in kind as to design, material, and size.

Replace the exterior metal stair and balcony on the rear façade.

The Staff has concerns about the removal of the existing metal stair system as it appears to be a contemporary feature from the 1980s or 1990s, given the design of the stair stringers and hand rail. The replacement stair design and material meets the District regulations as the new stair would be differentiated from other historic features on the building and would not speculate on the design of possible rear exits doors that might have previously existed. The Staff would recommend, however, that the anchoring mechanism for the new balcony on the rear façade be mounted to the masonry joints and not the brick themselves.

Modify the storefronts to replicate the original building design with two storefronts.

Similar to the lower level windows on the rear façade, the storefront systems (or at least portions thereof) appear to be from the 1940s through 1960s and as such their design and alteration of the original storefront configuration represent the evolution of the building over time. While the Staff has no concerns about the replacement of the plywood in the transoms with glass, it is concerned that the storefront configuration being proposed is not necessarily based on archival or photographic documentation. Absent such documentation, the storefronts should be repaired in-kind reflecting the time period they represent, which would appear to coincide with the first occupancy of the building by the *Atlanta Daily World*. Further, it is not clear if on the left hand side the entry way is being brought forward to align with the rest of the building façade. Lastly, the Staff would caution that out-swinging doors (due to fire egress requirements) normally cannot encroach into the sidewalk when open.

The Staff would recommend the Applicant provide more documentation regarding the evolution of the storefronts on the front façade and the renovation of the storefronts be based on that documentation. The Staff would further recommend that absent documentation regarding the evolution of the storefront on the front façade, the left hand storefront be repaired in kind and the right hand storefront be a contemporary, but compatible, design and materials.

Restore the central door that leads to the second floor.

The Staff does not have concerns about the restoration of the central door on the front façade the leads to the second floor.

Resurface the existing parking lot and add landscaping.

The Staff has no concerns about the resurfacing of the existing parking lot and adding landscaping. Further, the Staff has no concerns about the establishment of “clean” paving edges to formalize the extent of the parking and landscaping areas.

Lastly, the Staff would note that given the building is not being expanded and the extent of the parking area is not changing, the Staff finds that the transitional use, yard, and height plane requirements do not apply to this project.

Staff Recommendation: Based upon the following:

1. Except as noted above, the proposed work meets the District regulations, per 16-20.009, 16-20C.003 and 16-20C.007.

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-019) to allow additions and alterations at 145 Auburn Avenue – Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4), with the following conditions:

1. The new 9 over 1 window sash on the Auburn Avenue facade shall be true divided light construction, per Section 16-20.009;
2. Absent archival or photographic documentation to the contrary, the new windows on the upper level of the rear façade shall be wood, 1 over 1, double hung windows that fit the original masonry openings, per Section 16-20.009;
3. All masonry repair work required to remedy the moving of the upper level exit door shall be done in-kind, using brick salvaged from the rear façade of the building if possible, per Section 16-20.009;
4. The lower level windows on the rear façade shall be restored if possible, and if they can't be restored they shall be replaced in kind as to design, material, and size, per Section 16-20.009;
5. The anchoring mechanism for the new balcony on the rear façade shall be mounted to the masonry joints and not the brick themselves, per Section 16-20.009;
6. the Applicant provide more documentation regarding the evolution of the storefronts on the front façade and the renovation of the storefronts be based on that documentation, per Section 16-20.009;
7. Absent documentation regarding the evolution of the storefront on the front façade, the left hand storefront be repaired in kind and the right hand storefront be a contemporary, but compatible, design and materials, per Section 16-20.009; and
8. The Staff shall review, and if appropriate, approve the final plans, specifications, and documentation.



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STAFF REPORT
February 12, 2014

Agenda Item: Applications for a Type III Certificate of Appropriateness (CA3-14-021) for a variance to reduce the rear setback from 50 feet (required) to 20 feet (proposed) and (CA3-14-020) for demolition an accessory structure, an addition, and a new accessory structure at **1196 Fairview Rd.** Property is zoned Druid Hills Landmark District.

Applicant: Rebecca Lynch
230 Bull St. No.1, Savannah

Facts: The existing house is a two-story built around 1920, according to the District inventory sheet. The house is painted brick, with an enclosed sun porch on the right (east) side of the house. Behind the enclosed sun porch is a wood-sided 1970s / 1980s addition that wraps around to the rear of the house. The driveway is located on the right (east) side of the property and leads to a one-story, two-bay gabled roof garage. The garage has a partial brick foundation and two pairs of pedestrian doors covering the garage door openings.

The Applicant proposes the following actions:

1. Demolition of almost all of the 1970s / 1980s addition to the main house, leaving the portion closest to the sunroom;
2. Demolition of the existing garage;
3. Demolition of the existing pool, landscaping, and driveway area behind the house;
4. Construction of two-story side / rear addition to the main house, clad in stucco with a standing seam metal roof;
5. Construction of a breezeway from the new addition to the new accessory structure;
6. Construction of a new, two-story, three-bay garage connected to the main house via the new breezeway;
7. Replacement of the sunroom windows on the right (east) side of the house;
8. Replacement of one window on the second floor on the rear of the house;
9. Replacement of one window on the first floor on the left (west) side of the house;
10. Renovation / restoration of windows on the main house;
11. Installation a window bay and new French doors on the rear of the house;
12. Renovation of the remaining portion of the 1970s / 1980s addition with clay tiles (matching the existing house), stucco (to match the new addition and new garage), and a new double hung window;

13. Installation of a new formal garden immediately behind the house and behind the new addition; and
14. Installation of a driveway to reach the new garage, including a parking / turnaround area in front of the garage.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
 - (3) Landmark Districts:
 - a. To change the exterior appearance of any Landmark Building or Site;
 - c. To erect any new structure or to make an addition to any structure within a Landmark District.

Per Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20B.003:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor and (2) Fairview Road. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (1) Minimum off-street parking requirements:
 - a. Off-street parking will not be permitted in any front yard nor in any side yard within 50 feet of a street line, except for Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this parking regulation, the front yard shall be that area between the street line and the forward line of the principal structure.
 - b. No off-street parking shall be located within 20 feet of any lot line except as may be authorized by the Atlanta Urban Design Commission under section 16-20B.004(5).
 - c. Parking space requirements: Parking areas on the lot with adequate access to a public street and with adequate circulation space shall be constructed of a material which will assure a surface resistant to erosion and shall be maintained permanently as follows:
 2. For single-family dwellings: Two (2) spaces per dwelling unit.
- (3) Minimum landscaping requirements: The overall quality of the landscaped area visible from public ways should be preserved as an integral part of the historic character of Druid Hills, and the following regulations shall apply to all parcels located within the district:
 - a. A certificate of appropriateness shall be required for the clearance or removal of any tree with a caliper of four (4) inches or greater and shrub massings or hedges over three (3) feet high.
 - b. All trees with a caliper of four (4) inches or greater as measured four (4) feet above the ground, outside of the building site which are cleared for any reason, shall be replaced with trees having a minimum caliper of one and one-half (1 ½) inches.

- c. A certificate of appropriateness shall be required for any major change in the landscape which is visible from the public right-of-way. Removal or changes in topography, walls (retaining or freestanding), and fences shall constitute a major change.
- e. Which shall read as follows: “(3)(e.) Any construction in the Druid Hills Landmark District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the district. Landscape changes visible from the public right-of-way shall require a Certificate of Appropriateness and shall follow the standards set forth by the Secretary of the Interior. These standards, *The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*, are designed to assist individual property owners in the formulation of plans for maintenance and continued use of historic properties and landscapes.”
- (4) *Minimum drainage controls:* Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
 - a. No structure shall be permitted within any 100-year floodplain.
 - b. No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - c. No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

Per Section 16-20B.005:

The following regulations shall apply to any proposed development on any property located on Fairview Road:

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
- (4) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
- (5) Minimum yard requirements:
 - a. Setbacks:
 - 1. North side, Moreland Avenue to Springdale Road, NE:
 - Front yard: 65 feet.
 - Side yards: 20 feet.
 - Rear yards: 50 feet.
- (6) Maximum height: No building shall exceed a height of 35 feet.

Section 16-20B.008. Variances, special exceptions and appeals.

- (1) The urban design commission shall have the power to hear, grant, or deny all variances from the sections of this chapter and all special exceptions as will not be contrary to the public interest when, due to special conditions, a literal enforcement of the provisions in a particular case will result in unnecessary hardship, provided that the spirit of the chapter shall be preserved, public welfare and safety secured, and substantial justice done. The criteria and the procedures for such variances and special exceptions shall be the same as so specified in chapter 26 of this part for the board of zoning adjustment.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Secretary of the Interior Standards for Treatment of Historic Properties

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Variance Analysis

The Applicant provided their variance justification / argument in their application package. The Applicant cites the encroachments of the existing garage structure and notes that the proposed garage structure would eliminate the side yard setback encroachment completely and only increase slightly the rear yard setback encroachment. The Applicant also notes that “encroachment into the rear yard setback is common along Fairview Road”. The Staff would concur with that conclusion and would note that the 50 ft. rear yard setback would make accessory structures in traditional locations (the back corners of properties) difficult to do. The Staff would also concur with the Applicant’s assessment that the reduction of the rear yard setback allows the three-car garage to be oriented north-south reducing its visibility from Fairview Road.

However, the Applicant does not provide significant argument regarding the extraordinary, exceptional or peculiar circumstances that exist on their property, as well as the existence of a potential unnecessary hardship as required by the variance process.

The Staff would recommend the Applicant provide a more complete response that addresses and satisfies all four of the variance criteria.

Overall Development Controls

The site plan does not indicate that any trees will be removed for this project.

The proposed garage will not be built on a slope exceeding 15%.

The Staff would recommend that the Applicant confirm that no construction will take place within the currently defined 100 year flood plain.

Architectural Analysis

Demolition of almost all of the 1970s / 1980s addition to the main house, leaving the portion closest to the sunroom.

The Staff has no concerns about the demolition of the contemporary addition.

Demolition of the existing garage.

While the photographs provided by the Applicant show the garage structure in fair condition, the assessment included in the application describes extensive termite damage, rot, previous selective demolition, alterations and makeshift repairs. The Applicant also notes that the structure that presently exists doesn't appear to match the location and orientation of a structure shown on the 1920s Sanborn maps. While there appears to be some portions of a core structure remaining from the original construction (which might or might not be from the 1920s), the garage structure has undergone significant alterations, though it is not clear exactly when those alterations or additions occurred and/or if that is within the historic time period of the property and District.

Based on the information provided by the Applicant and consistent with the review of previous applications that have included the demolition of an accessory structure, Staff has determined that a Type IV Certificate of Appropriateness for demolition is not required.

Demolition of the existing pool, landscaping, and driveway area behind the house.

The Staff has no concerns about the demolition of the contemporary pool, general landscaping and driveway area.

Construction of two-story side / rear addition to the main house, clad in stucco with a standing seam metal roof.

The Staff finds that on a general level, the addition's the massing and size are compatible with the existing house and allow the house to continue to be the predominant visual presence on the property. Further, the Staff does not have a concern about the absolute height of the addition or its roof line, materials, and architectural ornamentation.

However, the Staff is concerned about the slight projection of the addition beyond the right (east) side of the house and the even further projected driveway entrance to the new screen porch. These projections, combined with the new garage (which the Staff finds will be visible from the public street given its size and higher elevation) could create too large a visual presence of contemporary features on the property

when viewed from the public street. The Staff understands the interest in a secondary, rear entrance from the driveway, but finds that the entrance could be more visually recessive in relation to the existing house.

The Staff would recommend that the addition to the house, including the driveway entrance to the screen porch, be reconfigured to decrease the addition's visual presence from the public street.

Construction of a breezeway from the new addition to the new accessory structure.

Notwithstanding the concerns noted above about the addition, the Staff has no concerns about the breezeway itself. It will have little visual presence as viewed from the street and given that it is connecting two contemporary elements, its use of those elements' materials and detailing is appropriate.

Construction of a new, two-story, three-bay garage connected to the main house via the new breezeway.

Taking into account the Staff recommendation of the setback variance noted above, the Staff is concerned about the height, massing, and location of the garage, particularly given the higher elevation it occupies on the site. The front corner of the house sits at elevation 990 ft. and the front corner of the garage sits at elevation 996 ft. While the overall project elevations clearly show that the roof of the garage will be lower than the roof of the house in absolute terms, the Staff is concerned about the garage's visual preference on the property. The Staff finds that the garage's height, massing (two full stories and three garage bays in length) and location (projecting beyond the east façade of the house and beyond the house addition) will create too great of a visual presence on the property in relation to the existing house. The Staff would recommend that the height, massing, and location of the garage be reconfigured to reduce the garage's visual presence from the public street.

Replacement of the sunroom windows on the right (east) side of the house.

Replacement of one window on the second floor on the rear of the house.

Replacement of one window on the first floor on the left (west) side of the house.

Renovation / restoration of windows on the main house.

The application includes a general assessment of the double hung windows in the house and alludes to a more comprehensive and detailed window assessment in the future. The application does not include the later assessment. The general assessment indicates extensive deterioration and rot of the windows on the house. While it is clear from the submitted materials the rationale for the replacement of the sun room windows (deteriorated conditions due to poor installation of contemporary windows) and the individual windows on the rear and left (west) side of the house, it is not clear the proposed action, if any, for the rest of the windows on the house.

The Staff would recommend the Applicant provide a more detailed and comprehensive window assessment to document the condition of all of the existing windows on the house, the rationale for each window's repair or replacement, and the proposed replacement components. Further, the Staff would recommend that any new windows replacing original windows replicate the original window in size, design, function, material, and have true divided lights. The Staff would also recommend that any new windows that are not replacing original windows be compatible with the house's architectural style and have either simulated divided lights with the light division permanently affixed to the exterior of the glass or be true divided light.

Installation a window bay and new French doors on the rear of the house.

Generally speaking, the Staff has no concerns about the new window bay and French doors on the rear of the house. However, it is not clear how the brick repairs will be accomplished once the new French doors are installed, given the French door opening will be different from the existing triple window opening. The Staff would recommend the Applicant clarify the approach and technique of brick repairs associated with the installation of the French doors on the rear façade.

Renovation of the remaining portion of the 1970s / 1980s addition with clay tiles (matching the existing house), stucco (to match the new addition and new garage), and a new double hung window.

The Staff does not have concerns about the renovation of the remaining portion of the 1970s / 1980s addition. The use of stucco will clearly identify it as different from the original house. While the Staff would not usually support the detailed continuation of a distinctive material (clay tile roofing) onto a contemporary addition, the Staff finds that given the shape and adjacency of the renovated portion of the addition, the use of another roofing material would create construction quality and waterproofing issues.

Installation of a new formal garden immediately behind the house and behind the new addition.

The Staff has no concerns about the new formal garden or associated paths, terrace, retaining walls, stairs, and landscaping.

Installation of a driveway to reach the new garage, including a parking / turnaround area in front of the garage.

It appears that the new driveway shape and location starts where the front porch stairs meet the existing driveway. The new driveway will be slightly farther away from the house and maintain a 9 ft. width until the parking / turnaround area in front of the garage. The design of the proposed driveway and turnaround area will result in less paved area, particularly in the garage area.

The District regulations restrict off-street parking within 20 ft. of side property lines. While the Staff does not consider a turnaround area to be a true parking area, it also finds that the proposed turnaround area should be the smallest area required to facilitate turning around a normal vehicle. The Staff would recommend that the paved area in front of the garage door openings be the smallest area possible to allow for the turning around of a normal vehicle.

Staff Recommendation: Based upon the following:

1. The Applicant has not provided substantial information regarding the extraordinary and exceptional conditions pertaining to the property, per Section 16-26.003(1)(a);
2. The Applicant has not provided substantial information that the application of the Zoning Ordinance of the City of Atlanta to the property would create an unnecessary hardship, per Section 16-26.003(1)(b);
3. The Applicant has not provided substantial information here are conditions that are somewhat peculiar to the property; per Section 16-26.003(1)(c); and
4. Relief, if granted, would not impair the purposes and intent of the Zoning Ordinance of the City of Atlanta and the District regulations and would not impair the purposes and intent of the District regulations less, per Section 16-26.003(1)(d).

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-021) for a variance to reduce the rear setback from 50 feet (required) to 20 feet (proposed) at **1196 Fairview Rd.** Property is zoned Druid Hills Landmark District, with the following condition:

1. The Applicant shall provide a more complete response that addresses and satisfies all four of the variance criteria, per Section 16-26.003(1).

Staff Recommendation: Based upon the following:

1. The Staff's recommendation of conditional approval for the variance request (CA3-14-021) would not require any substantial redesign of the proposed addition itself, per Section 16-26.003(1); and
2. Except for the concerns noted in the Staff Report, the proposed addition meets the District regulations, per Section 16-20B.003 and 16-20B.005.

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-020) for demolition an accessory structure, an addition, and a new accessory structure at **1196 Fairview Rd.** Property is zoned Druid Hills Landmark District, with the following conditions:

1. The Applicant shall confirm that no construction will take place within the currently defined 100 year flood plain, per Section 16-20B.003(4)(a);
2. The addition to the house, including the driveway entrance to the screen porch, shall be reconfigured to decrease the addition's visual presence from the public street, per Section 16-20B.003(5);
3. The height, massing, and location of the garage shall be reconfigured to reduce the garage's visual presence from the public street, per Section 16-20B.003(5);
4. The Applicant shall provide a more detailed and comprehensive window assessment to document the condition of all of the existing windows on the house, the rationale for each window's repair or replacement, and the proposed replacement components, per Section 16-20B.003(5);
5. Any new windows replacing original windows shall replicate the original window in size, design, function, material, and have true divided lights, per Section 16-20B.003(5);
6. Any new windows that are not replacing original windows shall be compatible with the house's architectural style and shall have either simulated divided lights with the light division permanently affixed to the exterior of the glass or be true divided light, per Section 16-20B.003(5);
7. The Applicant shall clarify the approach and technique of brick repairs associated with the installation of the French doors on the rear façade, per Section 16-20B.003(5);
8. The paved area in front of the garage door openings shall be the smallest area possible to allow for the turning around of a normal vehicle, per Section 16-20B.003(1)(b); and
9. The Staff shall review, and if appropriate approve, the final plans, elevations, and supporting documentation.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **February 12, 2014**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-022) for renovations and additions at **23 Peachtree Street (Olympia Building)** - Property is zoned SPI-1 (Subarea 1) / LBS (Landmark Building or Site).

Applicant: Michael Wirsching
55 Ivan Allen Boulevard

Facts: The Olympia Building was designated a Landmark Building / site (LBS) in 1990. The triangular, two-story building (with a full basement) fronts on Peachtree Street, Decatur Street, and Edgewood Avenue. At some point in the past the upper level windows were all replaced as well in the late 1990s, the then owner removed the first storefront bay on the sidewalk level at the nose of building closest to Peachtree Street. Contemporary storefront systems were installed in all of the storefront bays.

The Applicant's proposal will partially restore the exterior appearance of the building based on historic photographs and archival documentation. In some instances, such as with the upper level windows and tinting of the stone ornamentation, the historic documentation will be used to re-create the historic appearance. In other instances, such as with the sidewalk level storefront system, the historic photographs will be used to re-create certain architectural elements that will be incorporated into a modern storefront system. The first storefront bay closest to Peachtree Street will be re-enclosed using the new storefront system pattern. Blade signs will be added to each frontage of the building.

The heavily altered interior spaces will be extensively renovated to accommodate the new, single tenant for the building. The Commission does not have purview of the interior renovations to this building.

The property is also undergoing a concurrent SPI Special Administrative Permit (SAP) review through the Office of Planning. Lastly, the Staff had several discussions with the development about their approach to the renovation / restoration.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
 - (1) *Landmark buildings and sites:*
 - (a) To change the exterior appearance of any Landmark Building or Site;

Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, for purposes and objectives contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic regulations as are required in article D of chapter 4 or part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

General Design

The Staff has no concerns about the removal of the existing, contemporary storefront system, and related signage from the previous tenants. There are no concerns about re-enclosure of the storefront bays closest to Peachtree Street or generally speaking the installation of a contemporary storefront system at the sidewalk level.

The Staff would add that historic photographs are one of the preferred types of documentation when re-establishing previous conditions on a historic building.

The Staff does have several comments about several aspects of the project though.

First, the Staff is still somewhat concerned about the tinting or coloring of the architectural ornamentation on the building to black. While it is clear that the ornamentation was colored at some point in the past, the Staff thinks that the dark black color shown in the proposal is too strong based on the historic photographs. The Staff would recommend that tinting of the architectural ornamentation be done to match the level of coloration found in the historic photographs. The Staff would also recommend that a field test be conducted of various coloring and/or tinting methods and that such a field test is reviewed and approved by the Staff prior to wholesale coloring of the architectural ornamentation.

Second, the replacement windows on the upper level will “match historic precedent”. However, the Staff is concerned that a typical, extruded, commercial aluminum window frame in the historic light pattern will appear contrived and internally inconsistent. The Staff would recommend that the light divisions and frames of the upper level windows have profiles compatible with the time period of construction of the building.

Third, the Staff would recommend that all cleaning and repair of the existing masonry be done with the gentlest means possible and all repairs be done in-kind.

Signage

Regarding the proposed signage, for the SPI-1 zoning district, a single tenant in a non-corner building would be permitted to have three business identification signs. On a corner building, the single tenant is allowed to have one additional sign that faces the additional frontage for a total of four signs. Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs are all permitted at this property. The proposal includes three projecting signs (i.e. the “blade signs”) and three wall or canopy signs for a total of six signs. The Staff would recommend the number of signs meet the SPI-1 sign regulations.

The square footage of the signs cannot exceed 10% of the building façade square footage, with the additional sign due to the corner location not exceeding 10% of the building façade square footage on that additional frontage. Given that the elevations appear to show the face of the blade signs in slight perspective, the Staff would recommend the sign area of each sign and all the signs together be calculated, the signs are shown in true elevations, and the area of the signs meet the SPI-1 sign regulations. The Staff would also recommend that the signs be shown on a site plan in relation to the property lines to determine if the signs extend over the right-of-way and as such must meet the requirements for such signs.

As for the sign design and shape, the Staff finds that size, scale and design of the sign of the signs are compatible with the size, scale and design of the building. Further, the signs do not obscure any significant architectural features of the building.

However, the material of the signs is not noted on the plans. The Staff would recommend that the signs’ materials are compatible with the period and style of the building. Further, no lighting proposal for the signs is included in the plans. The Staff would recommend that the signs are externally lit. The Staff would also recommend that to not irreparably damage any cornice,

ornament or similar architectural detail and to be the least damaging method feasible, the projecting signs shall be mounted into the mortar joints of the building cladding rather than the stone itself.

SPI-1 Review

In addition to being a Landmark Building / Site, as noted above, the property is also in the SPI-1 zoning district. The Staff would recommend that if any changes in the scope of work are necessitated by any SPI-related design review, those changes be reviewed, and if appropriate, approved by Staff.

Staff Recommendation: Based upon the following:

- (1) Except as noted above, the proposed alterations meet the requirements, per Section 16-20.009.

Staff recommends approval of an application for a Application for a Type III Certificate of Appropriateness (CA3-14-022) for renovations and additions at **23 Peachtree Street (Olympia Building)** - Property is zoned SPI-1 (Subarea 1) / LBS (Landmark Building or Site), with the following conditions:

1. The tinting of the architectural ornamentation shall be done to match the level of coloration found in the historic photographs, per Section 16-20.009;
2. A field test shall be conducted of various coloring and/or tinting methods and that such a field test shall be reviewed and approved by the Staff prior to wholesale coloring of the architectural ornamentation, per Section 16-20.009;
3. The light divisions and frames of the upper level windows shall have profiles compatible with the time period of construction of the building, per Section 16-20.009;
4. All cleaning and repair of the existing masonry shall be done with the gentlest means possible and all repair shall be done in-kind, per Section 16-20.009;
5. The number of signs shall meet the SPI-1 sign regulations, per Section 16-28A.010(12);
6. The sign area of each sign and all the signs together shall be calculated, the signs shall be shown in true elevations, and the area of the signs shall meet the SPI-1 sign regulations, per Section 16-28A.010(12);
7. The signs shall be shown on a site plan in relation to the property lines to determine if the signs extend over the right-of-way and as such must meet the requirements for such signs, per Section 16-28A.010(12);
8. The signs' materials shall be compatible with the period and style of the building, per Section 16-28A.007(v);
9. The signs shall be externally lit, per Section 16-28A.007(v);
10. The projecting signs shall be mounted into the mortar joints of the building cladding rather than the stone itself, per Section 16-28A.007(v);
11. If any changes in the scope of work are necessitated by any SPI-related design review, those changes shall be reviewed, and if appropriate, approved by the Staff; and
12. The Staff shall review, and if appropriate, approve the final plans.



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STAFF REPORT
February 12, 2014

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-14-023) for a variance to allow the reduction of parking spaces from 18 (required) to 9 (proposed) to allow for extended business hours at **180 Carroll Street** – Cabbagetown Landmark District (Subarea 4 – Neighborhood Commercial / Services).

Applicant: Barbara Keeney-Harper
180 Carroll Street, SE

Facts: According to the district inventory sheet, the building at 180 Carroll Street is considered contributing and built about 1950.

In 2004, the Commission:

- approved with conditions the renovation of the building at 180 Carroll Street into a restaurant / bar (now Milltown Arms);
- approved a reduction in the amount of off-street parking for the business at 180 Carroll Street to 18 spaces;
- approved the use of off-site, shared parking at existing parking lot at 176 Carroll Street to fulfill the parking requirements of the business at 180 Carroll Street (176 Carroll Street was and is a small surface parking lot adjacent to and north of 180 Carroll Street.); and
- approved the use of the then-existing parking lot at 176 Carroll Street after meeting the basic design, buffer, and signage requirements associated with surface parking lots.

At that time, there was no other user of the parking lot, but the shared parking arrangement was configured in anticipation of a new office use at 174 Carroll Street. Since 2006, “Profiling Solutions” has occupied 174 Carroll Street on the opposite side of the parking lot from 180 Carroll Street. As such, the parking lot at 176 Carroll Street is used by Profiling Solutions at 174 Carroll Street and Milltown Arms at 180 Carroll Street.

The current shared parking arrangement approved by the Commission for the parking lot at 176 Carroll Street is that Milltown Arms is allocated all 18 spaces after 4:00 pm Monday-Friday and all day on Saturday and Sunday. Profiling Solutions is allocated all 18 spaces before 4:00 pm Monday-Friday and no spaces on Saturday and Sunday. Based on information provided with the

application, Milltown Arms now uses 9 spaces during the day Monday-Friday, presumably because Milltown Arms has now open for lunch (which they weren't in 2004) and now would like to open for breakfast. As such, they need additional parking officially allocated to their business before 4:00 pm and specifically to accommodate their lunch and breakfast hours. As a result and given that Profiling Solutions is still using the 9 parking spaces originally allocated to it since 2006, Milltown Arms has requested a variance to reduce the amount of off-street parking from 18 spaces to 9 spaces for its daytime operations. The allocation of all 18 spaces after 4:00 pm Monday-Friday and all day Saturday and Sunday would remain unchanged.

Analysis: The following code sections apply to this application:

Per Section 16-20A.005 (Certificates of Appropriateness)

The following general regulations shall apply to the Cabbagetown Landmark District.

Certificates of Appropriateness within this district shall be required as follows:

- (1) When required:
 - d) To construct off-street or off-site parking;

Per Section 16-20A.006 (General Regulations)

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- ((7) Variances. Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (19) Off-street and off-site parking.
 - a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
 - b) The number of required parking spaces is set out in each subarea.
 - c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
 - i) Off-street or off-site parking shall include landscape buffer strips placed along sidewalks and public rights of way. Landscape buffer strips shall be: a minimum of three feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of 12 feet in height at time of planting placed no further than 25 feet on center. All landscape buffer strips shall be maintained in a sightly manner.

Per Section 16-20A.010. Neighborhood commercial/services (subarea 4).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the neighborhood commercial/services subarea. These regulations are intended to preserve the neighborhood commercial/services subarea and to encourage the continued use of the existing structures for commercial and service use in combination with residential uses and in support of the residential community within the Cabbagetown Landmark District. These regulations further intend to ensure that any conversion in use, which may be permitted for preservation purposes in existing structures, is compatible with the overall character of the district as a whole.

- (1) Permitted principal uses and structures. A building or premises shall be used only for the following principal purposes:
 - b) Any of the following uses provided that they do not exceed 2,000 square feet of floor area:
 - 4. Restaurants, bars, coffee shops, delicatessens, and taverns.
- (3) Special permits. The following uses are permissible only by special permit of the kind indicated, subject to limitations and requirements set forth herein and in section 16-25.002(3).

- c) Special exceptions:
 - 3. Reduction in minimum off-street parking requirements.
- (6) Transitional yards:
 - b) Rear yard: There shall be a rear yard of ten feet when adjacent to a residential use district that shall not be used for parking, paving or loading or servicing.
 - c) Screening: Where a lot in this subarea abuts a residential use on the rear lot line without an intervening street, landscaping, opaque fencing or screening not less than six (6) feet in height shall be provided and maintained in sightly condition (see section 16-28.008).
- (11) Loading areas, loading dock entrances and structure mechanical and accessory features.
 - a) Commercial dumpsters and loading areas may not be located within 30 feet of an adjoining residential subarea boundary, and shall be screened with opaque fences or walls six feet in height.
- (19) Minimum off-street parking requirements. The following parking requirements shall apply to all permitted uses, including those approved by special permits. (See also sections 16-28.013 and 16-28.014.) Design of parking facilities shall be subject to review by the commission.
 - f) Eating and drinking establishments: One space for each 100 square feet of floor area and one space for each 200 square feet of outdoor dining area.
- (20) Off-Street Parking Variances.
 - a) Reductions in parking requirements may be approved by the commission if a written shared parking arrangement that meets the following criteria is secured:
 - 1. The arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access.
 - 2. All shared parking spaces shall be clearly marked and signed as reserved during specified hours.
 - b) An applicant shall submit the following information as part of the application to reduce parking requirements and avoid conflicting parking demands:
 - 1. A to-scale map indicating location of proposed parking spaces.
 - 2. Indicate hours of business operation.
 - 3. Written consent of property owners agreeing to the shared parking arrangements;
 - 4. Copies of any parking leases. Renewed leases shall be provided to the commission as they are signed. Lapse of a required lease agreement shall terminate the permit.

The Staff generally concurs with the Applicant's variance analysis about the density and lot pattern of Cabbagetown, the configuration of the business buildings along Carroll Street, the lack of conflicting parking demands between Milltown Arms and Profiling Solutions (the two businesses that share the parking lot at 176 Carroll Street) and the potential impact of overflow parking on nearby residential neighbors. As such, the Staff finds that the Applicant has met the variance criteria for the further reduction in the off-street parking.

However, the Staff is concerned about the documentation of the shared parking arrangement, which is required by the District regulations. The parking agreement provided by the Applicant to use the parking lot appears to have expired in 2012, based on Stipulation #2 of the lease. The site plan provided of the parking lot does not indicate the property lines or the relationship to the location of the two businesses sharing the parking lot (i.e. a map). Given that the spaces will now be shared at the same time of day, new signage specifically noting which spaces are for which business and at what times must be added to the parking lot. There is no listing of both businesses' hours of operation. Lastly, there is no specific written consent of the property owner to use the parking lot, particularly absent a current lease agreement. The Staff would recommend the Applicant provide a to-scale site plan and map indicating the location of proposed parking spaces, a clear listing of the hours of business operation for both businesses sharing the parking lot, written consent of property owner agreeing to the shared parking arrangements, and a copy of a current parking lease.

In addition, based on the photographs provided by the Applicant the Staff is concerned about the physical configuration of the parking lot and the location of the Milltown Arms commercial dumpster. The Staff is particularly concerned about these site features because they were specifically included in the Commission's approval in 2004 of the renovation of the building at 180 Carroll Street (which is now Milltown Arms) and the Commission's approval in 2004 of the first off-street parking reduction and shared parking arrangement for 180 Carroll Street.

First, it is not clear if the landscape buffer required along the sidewalk edge meets the 3 ft. depth and specific planting requirements of the District regulations, including the planting of shade trees. The lack of definition of the size of the landscape buffer is compounded by the lack of definition of the parking surface vs. the planting area. The Staff would recommend the landscape buffer along the sidewalk edge meet all of the District regulations and contain a barrier to separate the landscaping from the parking surface.

Second, it is not clear if the required 10 ft. transitional yard and landscape buffer or opaque screening along the rear property line (due to the adjacency to a "residential use district" and "residential use") has been maintained over time for both the parking lot and Milltown Arms. The Staff would recommend that the all transitional yard, buffer and screening requirements of the District regulations be met along the rear property line of 180 Carroll Street (Milltown Arms) and 176 Carroll Street (the parking lot),

Third, the dumpster for Milltown Arms appears to be located within 30 ft. of an "adjoining residential subarea boundary" and is not "screened with opaque fences or walls six feet in height." The Staff would note that the review and conditional approval of the renovation proposal in 2004 specifically included a new location for the dumpster that met the District regulations. The Staff would recommend that the dumpster location and screening be revised to meet the District regulations.

Staff Recommendation: Based upon the following:

- a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question, per Section 16-26.003 in that the lot size and existing building do not provide enough area for off-street, on-site parking;
- b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship, per Section 16-26.003 in that only two or three of the 19 needed parking spaces could be provided on-site at the rear of the building;
- c) There are peculiar conditions pertaining to the particular piece of property in question, per Section 16-26.003, in that an adjacent parking lot at 176 Carroll Street is available for use by the subject property;
- d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta, per Section 16-26.003 in that the off-site parking is in close proximity to the business to which it would service;
- e) The proposed reduction of off-street parking and the off-site shared parking arrangement would avoid conflicting parking demands and provide for safe pedestrian circulation and access, Section 16-20A.006(20)(a)(1); and
- f) There are design elements of 180 Carroll Street (the business requesting the parking reduction) and 176 Carroll Street (the parking lot where the off-site parking will be located)

that do not meet the District regulations and specifically do not meet the Commission's conditional approval of LD-04-353 and 354 regarding a previous parking reduction and off-site location request from 2004.

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-023) for a variance to allow the reduction of parking spaces from 18 (required) to 9 (proposed) to allow for extended business hours at **180 Carroll Street** – Cabbagetown Landmark District (Subarea 4 – Neighborhood Commercial / Services), with the following conditions:

- 1) The Applicant shall provide a to-scale site plan and map indicating the location of proposed parking spaces, a clear listing of the hours of business operation for both businesses sharing the parking lot, written consent of property owner agreeing to the shared parking arrangement, and a copy of a current parking lease, per Section 16-20A.010(20)(b);
- 2) The landscape buffer along the sidewalk edge shall meet all of the District regulations and shall contain a barrier to separate the landscaping from the parking surface, per Section 16-20A.006(19)(i);
- 3) All transitional yard, buffer and screening requirements of the District regulations shall be met along the rear property line of 180 Carroll Street (Milltown Arms) and 176 Carroll Street (the parking lot), per Section 16-20A.010(6);
- 4) The dumpster location and screening shall be revised to meet the District regulations, per Section 16-20A.010(11); and
- 5) The Staff shall review, and if appropriate approve, the final documentation, site plan, and supporting materials.



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JAMES SHELBY
Commissioner

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Director, Office of Planning

STAFF REPORT **February 12, 2014**

Agenda Item: Review and Comment (RC-14-024) for demolition and new construction at **1332 Metropolitan Parkway**- Property is zoned MRC-3-C/Beltline.

Applicant: Atlanta Fulton Public Library System
One Margaret Mitchell Square

Facts: The building in question is located in the Capitol View Manor Neighborhood. According to the Applicant, the existing building was constructed in 1927.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structure or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

Demolition

The Applicant is proposing to demolish the Capital View Baptist Church building in order to construct a new library. According to the Applicant the church was constructed in 1927 and the congregation dissolved in the mid 1990's. According to the Applicant the building was occupied by a non-profit organization, however the building has not been maintained for the last ten years. In 2006, the property was rezoned to allow for a project that was to include the renovation of the historic building, additions and new construction on the site. The proposed project was never built. In 2012 the property was purchased by the Atlanta Fulton County Library System.

Capital View Manor began development in the mid 1920's. The majority of the houses were built before 1945. The neighborhood is characterized by mostly residential structures in the Craftsman, English Vernacular Revival and Colonial Revival styles. There are also American Small Houses and Ranch Houses built between the 1940's and mid to late 1950's. This 1927 church was built during the early development of the neighborhood and served the local residents. The building itself is a classic architectural design for churches built in Atlanta during the 1920's.

While the Capital View Baptist Church is not designated individually as a historic building or as part of a historic district, Staff finds the building is historic. The existing historic building is adjacent to the proposed Capital View Manor National Register District which is comprised of the residential buildings in the

neighborhood. Staff finds the building has significance for Capital View Manor as one of the few historic non-residential buildings in the neighborhood.

According to the Applicant, this lot once contained additional properties including classrooms, a gymnasium and an office. Those buildings have already been demolished, leaving the church as the only building on the site. According to the narrative, the existing building is structurally sound but uninhabitable. The Applicant also points out that the building has been deteriorating due to neglect and vandalism. In looking at pictures of the interior, it is clear that repairs, replacements and renovations are needed. The building has been vacant for some time and there is clear deterioration. Pictures of the exterior show the building is clearly sound and intact. There are clearly repairs that need to be made. As the window openings are boarded, the condition of the windows is not clear. As the Applicant has indicated the building is structurally sound, Staff finds no evidence that the building cannot be rehabilitated as opposed to demolition.

Staff finds there are several alternatives to demolition. The existing building can be rehabilitated and renovated to house the new library. As an existing historic building in the community, re-using the existing building for a library is a great solution. There is an option to make appropriate additions to the building to accommodate program needs and accessibility. There is an option that would include a partial rear demolition, retention of the main historic portion of the building and a new rear addition. Staff finds there are likely other alternatives.

Given the information we have at this time, Staff cannot support the proposed demolition. Staff would strongly advise against the demolition of a significant historic building in the Capital View Manor neighborhood. If the Applicant moves forward with the demolition, Staff suggests the building and its context are appropriately documented with archival quality photographs. Staff suggests that a history of the building and church congregation is researched and written. Staff suggests that pictures of the building and its history are prominently displayed at the new library.

New Construction

The Applicant is proposing to construct a new library. While the new building does not need to be a replica of the existing historic building, it should be consistent and compatible with the architectural style of historic non-residential buildings in the Capital View Manor neighborhood. In looking at the proposed building, Staff finds the overall design is not consistent and compatible with the architecture of the historic non-residential buildings in the neighborhood. At this time, Staff cannot support the design as currently proposed. Staff suggests the project be redesigned to reflect the architecture of the historic non-residential buildings in the neighborhood.

Staff Recommendation: Staff recommends that the Commission deliver its comments regarding Review and Comment (RC-14-024) for demolition and new construction at **1332 Metropolitan Parkway**.



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STAFF REPORT
February 12, 2014

Agenda Item: Application for a Review and Comment (RC-14-025) for renovations to the Auburn Avenue Street at **275 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

Applicant: Atlanta Downtown Improvement District
50 Hurt Plaza

Facts: The current Auburn Avenue streetscape was designed and built prior to the 1996 Summer Olympic Games. Relatively unchanged since then, it has recently be altered to accommodate the Atlanta Streetcar project, including the curbside stops, the track way itself, power poles, and other streetscape elements.

In addition, there has been an effort underway to update and improve the interpretative experience along Auburn Avenue, including potential new or revised signage. As part of that larger effort, funding was secured to improve the environment along Auburn Avenue under the Downtown Connector overpass. The proposed work is located on the north side of the street along the overpass abutment. The Atlanta Streetcar vehicle maintenance facility will be located along the south side of the same street segment.

The Staff has been a part of a steering committee providing guidance to the project.

The Applicant has submitted three concepts for consideration by the Commission. Concept #1 consists of a historic photograph collage of buildings along Auburn Avenue, with business / building names hung from the joists of the Downtown Connector above. Concept #2 is an enlargement of a single photograph showing Civil Rights marchers. Concept #3 consists of a two-tone historic photographs collage. All three concepts incorporate new down and up lighting.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

The Staff finds that visually all three concepts have value and would be engaging to the public and passerby. The Staff also appreciates the use of history as the general motif of the concepts. Further, the Staff finds that the additional lighting will be significant in enhancing the pedestrian experience on this section of Auburn Avenue. However, the Staff does have several comments about each concept.

Concept #1

The Staff is concerned about the stark transitions from one scene to another. While collages often contain such juxtapositions, given that the buildings are presented as if along a street, the juxtapositions could detract from the viewer's understanding of what they are looking at. Further, the names of the businesses hung from the underside of the Downtown Connector do not appear to match up with the images on the wall. Not knowing the artist relationship trying to be established between the signs and the images, the Staff would recommend that the signs align with the images as much as possible. Lastly, the Staff would recommend that explanatory text we added to each image noting what is shown in the image and some information about how that building / business relates to the present day Auburn Avenue.

Concept #2

Using what appears to be the entirety of a noted historic photograph, this concept emphasizes the Civil Rights theme of Auburn Avenue. It is the Staff's understanding that the march shown in photograph did not take place in Atlanta. The Staff is somewhat concerned about the more tangential relationship between the image and Auburn Avenue when compared to the other concepts. While there is no question that the Civil Rights Movement and associated marches are related to Auburn Avenue, the Staff finds that interpretive text explaining that relationship would be critical to making this concept successful.

Concept #3

The Staff assumes that the historic photographs used in this concept are from the Auburn Avenue area, but the Staff is not familiar with the views shown in the photographs. Regardless, the Staff is concerned that the use of the two perspective views in the center and left hand sides of the image conveys little information about what is in the image. Given how the images of the cars and people are proposed to be black and white (vs. the sepia tone buildings and streetscape), they would likely command the most attention from the viewer even though they would seem to offer the least amount of information. Lastly, as is the case with the first two concepts, the Staff would recommend that explanatory text we added to the image noting what is shown in the image and some information about how what is in the image relates to the present day Auburn Avenue.

In summary, the Staff finds that if the Staff's comments and recommendations are taken into account, Concept #1 could provide the most historic information about Auburn Avenue, Concept #2 could best place Auburn Avenue in the broader context of the Civil Rights Movement, and Concept #3 could best place Auburn Avenue in the broader context of Downtown Atlanta.

Staff Recommendation: The Staff recommends that the Commission confirm that it has delivered its comments to the Applicant at the Commission meeting regarding an application for a Review and Comment (RC-14-025) for renovations to the Auburn Avenue Street at **275 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).



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STAFF REPORT February 12, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-026) for renovations and an addition at **2990 Hardman Court** – Property is zoned R-LC-C.

Applicant: James Donnelly and Meka Redd
2974 Hardman Court

Facts: This property was rezoned with 11 other properties in 1987 (Z-87-12) to Residential-Limited-Commercial. As part of that rezoning, four conditions were placed on the properties, including the following:

“Any additional construction shall be of the same architectural character as the existing structures as determined by the Urban Design Commission.”

Analysis: Based on the requirement that “additional construction shall be of the same architectural character as the existing structures”, the Staff finds that the following code sections shall be applied to this application

Sec. 16-20.009. Some; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Renovations and Alterations

The Applicant is proposing install new larger windows in the existing arched window openings on the front and side elevations. In looking at pictures submitted by the Applicant, it is clear the existing windows are not original or historic. Further it appears the original windows openings have been partially filled in. Staff has no concerns regarding the installation of full size windows in the arched openings. The material and design details are not clear. There are specs from a manufacturer, however it is not clear what will ultimately be installed. Staff recommends wood windows that are either true divided lite or simulated divided lite.

The Applicant is proposing to replace all of the windows on the existing house. In looking at the pictures submitted it does not appear that the existing windows are beyond repair and require replacement. Given the information we have at this time, Staff cannot support the wholesale replacement of all of the existing windows. Staff recommends the Applicant provide documentation the windows are beyond repair or not original or historic. If replacement is warranted, Staff recommends the new windows are wood and either true divided lite or simulated divided lite.

The Applicant is proposing to replace the existing front stoop and stairs. In looking at pictures submitted by the Applicant, it does not appear the front stoop and stairs are beyond repair and require replacement. Staff recommends the Applicant provide documentation the existing stoop and stairs are beyond repair and require replacement. If replacement of the stoop and stairs are warranted, Staff finds the materials shall match the existing.

The Applicant is proposing to replace the existing front door. In looking at pictures submitted by the Applicant, the condition of the door is not clear. The door does not appear to be beyond repair. Staff recommends the Applicant provide documentation the front door is either beyond repair not original or historic. If replacement is warranted, Staff has no concerns regarding the proposed custom built door to match the existing. The Applicant is proposing to replace the existing asphalt shingles in-kind. Staff has no concerns regarding the proposed re-roofing in-kind.

Demolition

The Applicant is proposing to demolish an existing rear addition. Staff would note that the existing rear addition is clearly differentiated from the historic house with two different types of siding and different windows. Staff finds demolition of the existing rear addition will not significantly impact the historic fabric of the main historic structure. Staff has no concerns regarding the proposed addition.

New Additions

Per underlying zoning and the conditions of the rezoning, there are several requirements for this project. Per rezoning conditions, any expansions shall not exceed 50% of the existing structure. The Applicant provided calculations that indicate the proposed additions are less than 50% of the existing structure. Per underlying zoning the side yard setbacks shall be no less than 7' and the rear yard setback shall be no less than 20'. In looking at the site plan, Staff finds the side and rear yard setbacks meet the requirements. Per underlying zoning, there are maximum bulk limitations. Staff suggests the project meet the maximum bulk limitation requirements.

In looking at the site plan and pictures submitted, the property has a severe change in topography from the front of the property to the rear of the property. As such, the massing of the two story additions is visually diminished. The ridgeline of the proposed addition is significantly lower than the ridgeline of the main historic structure. As such, Staff finds the historic house remains the dominant feature.

The proposal includes a stucco foundation, cementitious siding and windows that match the design of the existing windows. While a masonry addition would be preferable, Staff finds the difference in façade and foundation material will clearly delineate the proposed addition from the existing historic house. Staff recommends the proposed siding is indicated as smooth with a 4” to 6” reveal. While Staff finds the proposed additions are awkwardly placed, Staff finds the regulations have been met.

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations, with the exception of the comments above, per Section 16-20.009; and

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-026) for renovations and an addition at **2990 Hardman Court** – Property is zoned R-LC-C, with the following conditions:

1. The windows in the arched openings shall be wood and either true divided lite or simulated divided lite, per Section 16-20.009 (1) and (5);
2. The Applicant shall provide documentation the windows are beyond repair or not original or historic, per Section 16-20.009 (1) and (5);
3. If replacement window replacement on the rest of the house is warranted, the new windows shall be wood and either true divided lite or simulated divided lite, per Section 16-20.009 (1) and (5);
4. The Applicant shall provide documentation the existing stoop and stairs are beyond repair and require replacement, per Section 16-20.009 (1) and (5);
5. If replacement of the stoop and stairs are warranted, the materials shall match the existing, per Section 16-20.009 (1) and (5);
6. The Applicant shall provide documentation the front door is either beyond repair not original or historic, per Section 16-20.009 (1) and (5);
7. The proposed siding material shall be indicated as smooth with a 4” to 6” reveal, per Section 16-20.009 (1) and (5); and
8. Staff shall review and if appropriate approve the final plans.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **February 12, 2014**

Agenda Item: Review and Comment (RC-14-027) for renaming of Newport Street to Andrew Hairston Boulevard at **Newport Street**.

Applicant: Nursef Kedir, Department of Public Works
55 Trinity Avenue

Facts: The City Council City Utilities is considering a proposal to rename Newport Street to Andrew Hairston Boulevard. Newport Street is located in the Vine City and English Avenue Neighborhoods in NPU L. Specifically, Newport Street is located between Thurmond Street and Joseph E. Boone Boulevard.

In the materials submitted with the application, no information was included regarding Newport Street. It is not clear when or why the street received its name. In order to make an informed comment, Staff finds it is important to have information on the current street name.

As more fully detailed in the submitted application materials, Dr. Andrew Hairston has had a varied and distinguished career in community leadership, law, business and the military. He has served as a minister at the Simpson Street Church of Christ since 1961.

Analysis: The following code sections apply to this application:

Per Section 138-8 of the Atlanta City Code:

(e) *Urban design commission review and comment.* All street renamings and dedications located in the City of Atlanta must be reviewed by the urban design commission and be the subject of a regularly scheduled commission meeting. In advance of such a meeting, neighborhood associations, historical groups, historic preservation groups, and other interested parties will be notified that the street renaming or dedication has been placed on the commission's agenda. After the meeting, written findings regarding the street renaming or dedication must be forwarded to the city's commissioner of its department of public works and must be received by the commissioner before the commissioner is authorized to submit to the city council legislation authorizing the street renaming or dedication.

The naming or renaming of a street (or any other City-related facility) is a significant undertaking by the City as it is one of the few ways for a person or event to be honored by the City by giving it a potentially permanent place in the City's future and thus its history. When streets and facilities (whether from the City's founding or more recently) are considered for renaming, the Staff finds that it is not appropriate to compare the significance of the existing name vs. the proposed name to each other (and by extension the people, events, or locations memorialized in those names). It is more appropriate to consider the respective honorees in relation to the era in which their significance is associated and how that significance is related to the City of Atlanta.

When taking this approach into account, the Staff finds Dr. Andrew Hairston is a potentially important figure for his community work in the Vine City and English Avenue Neighborhoods. The Staff would add that it is unaware of any other official City recognition (by way of a street or facility name) for Dr. Hairston. Given the lack of information we have about Newport Street, it is unclear the significance of the name or any contributions made to the immediate community or the City of Atlanta.

In conclusion, the Staff finds that both the namesake of Newport Street and Dr. Hairston are likely worthy of recognition for their contributions. Therefore, the Staff would recommend that if Newport Street is renamed to Andrew Hairston Boulevard, recognition of the namesake of Newport Street should be implemented by the City if appropriate.

Staff Recommendation: Staff recommends that a letter with the comments and findings of the Commission and Staff (as noted in the Staff Report) regarding the Review and Comment (RC-14-027) on the proposed renaming of Newport Street to Andrew Hairston Boulevard are sent to the Applicant and the appropriate City agencies.